

Calendar No. 223

92<sup>d</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 382

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IN THE SENATE OF THE UNITED STATES

JULY 23, 1971

Ordered to lie on the table and to be printed

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## AMENDMENTS

Intended to be proposed by Mr. SCOTT to S. 382, a bill to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes, viz:

- 1     On page 23, beginning with line 21, strike out through  
2     line 9 on page 24 and insert in lieu thereof the following:  
3     “(a) Except as otherwise provided in subsection (b)  
4     of this section, no person engaged in a business, the rates  
5     and charges for which are regulated by the Civil Aeronautics  
6     Board, the Federal Communications Commission, or the  
7     Interstate Commerce Commission, shall furnish goods or  
8     render services to a candidate, or to any other person who  
9     is acting on behalf of such candidate, in connection with his  
10    campaign for nomination for election, or election, to Federal  
11    office unless such candidate or person (1) pays for such

1 goods or services in advance of their being furnished or  
2 delivered, or (2) secures the debt so created in full by prop-  
3 erty, bond, or other security.

4 “(b) In the case of any such business whose customary  
5 practice is to submit statements to its customers at periodic  
6 intervals requesting payment for services rendered, such  
7 business shall not furnish services to any such candidate or  
8 person, or to any other person acting on behalf of such  
9 candidate in connection with his campaign, so long as any  
10 debt owed by such candidate or person for past services  
11 rendered in connection with the campaign of such candidate  
12 remains unpaid unless such debt is secured in full by prop-  
13 erty, bond, or other security. In order to carry out the pro-  
14 visions of this subsection, such business shall submit such  
15 statements on a monthly basis to its customers who are  
16 candidates or persons acting on behalf of a candidate in  
17 connection with his campaign.

18 “(c) Any candidate who purchases goods or services  
19 from any such business in connection with his campaign for  
20 Federal office, and any person who purchases such goods  
21 or services on behalf of such candidate in connection with  
22 his campaign, shall identify himself as a candidate or as a  
23 person acting on behalf of a candidate before purchasing  
24 such goods and services and shall indicate that such goods

1 and services are being purchased in connection with the  
2 campaign of such candidate.

3 “(d) For purposes of this section—

4 “(1) payment in advance by cash, check, money  
5 order, or by credit card (if such card is issued by a  
6 corporation other than the corporation to whom pay-  
7 ment is so made or a subsidiary of such corporation)  
8 shall be considered to be payment in advance; and

9 “(2) a person shall be considered to be acting on  
10 behalf of a candidate if—

11 “(A) he is employed by such candidate or by  
12 a political committee to act on behalf of such candi-  
13 date in connection with such candidate’s campaign  
14 for nomination for election, or election, to Federal  
15 office;

16 “(B) such candidate, or a political committee  
17 which makes expenditures to influence the nomina-  
18 tion or election of such candidate, pays, directly or  
19 indirectly, for goods and services purchased by such  
20 person while so acting;

21 “(C) such person is acting under an agreement  
22 with such candidate, or with a political committee  
23 which makes expenditures to influence the nomina-  
24 tion or election of such candidate, under which he is

1. to engage in activities in connection with such can-  
 2. didate's campaign for nomination for election, or  
 3. election, to Federal office; or

4. "(D) such person is acting as an agent of such  
 5. candidate, or of a political committee which makes  
 6. expenditures to influence the nomination or election  
 7. of such candidate, in connection with such candi-  
 8. date's campaign for nomination for election, or elec-  
 9. tion to Federal office.

10. "(e) The Civil Aeronautics Board, the Federal Com-  
 11. munications Commission, and the Interstate Commerce Com-  
 12. mission shall each promulgate its own regulations, within  
 13. ninety days of the effective date of this Act, in order to carry  
 14. out the provisions of this section as to businesses regulated  
 15. by it.

16. "(f) Violation of the provisions of this section, or regu-  
 17. lations promulgated under this section, is punishable by a  
 18. fine not to exceed \$1,000, imprisonment for not to exceed  
 19. one year, or both."

20. On page 37, beginning with line 5, strike down through  
 21. "campaign" in line 12 and insert in lieu thereof the fol-  
 22. lowing:

23. "(b) (1) Any candidate, or person acting on behalf of  
 24. such candidate or as an agent of such candidate in connec-

1 tion with the campaign of such candidate for nomination for  
2 election, or election, to Federal office, who purchases goods  
3 or services in connection with such campaign from any busi-  
4 ness the rates and charges for which are regulated by the  
5 Civil Aeronautics Board, the Federal Communications Com-  
6 mission, or the Interstate Commerce Commission.”

7       On page 38, line 7, beginning with “A” strike down  
8 through line 10.

**Amdt. No. 321**

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